

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR
PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors.¹

Government of Puerto Rico
EX REL. Francisco Pujol Meneses and
Harold D. Vicente Gonzalez,

Plaintiff,

v.

UBS Bank USA, et al.,

Defendants.

PROMESA

Title III

No. 17 BK 03283-LTS

(Jointly Administered)

Adv. Proc. No. 23-00058 (LTS)

**MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND TO
THE COMPLAINT AND [PROPOSED] ORDER**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (iii) Puerto Rico Highways and Transportation Authority (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (Bankruptcy Case No. 19-05523 (LTS)) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as bankruptcy case numbers due to software limitations).

WHEREAS, on July 13, 2023, Defendants UBS Bank, USA and UBS Financial Services Inc. (together, “UBS”) filed a Notice of Removal, Dkt. No. 1, removing this action to this Court pursuant to 48 U.S.C. § 2166(d)(1); and

WHEREAS, Plaintiffs Government of Puerto Rico ex rel. Francisco Pujol Meneses and Harold D. Vicente González (the “Plaintiffs”) initially filed this action in the Commonwealth Court of Puerto Rico, Court of First Instance, San Juan Part (the “Court of First Instance”) and reserve all rights to seek to remand to that court; and

WHEREAS, the parties have met and conferred regarding a mutually agreeable schedule for responding to the complaint, and accordingly agreed to the terms and schedule set forth below;

NOW, THEREFORE, the parties hereby stipulate as follows:

1. Plaintiff may file a Motion for Remand within 45 days to the extent such an extension is permissible under 48 U.S.C. § 2166, 28 U.S.C. §§ 1446, 1447 or any other applicable provision. If Plaintiff moves the court for remand within said term, Defendants will not oppose such filing as untimely.
2. Defendants shall move or answer in response to the Complaint on or before September 11, 2023, subject to further extensions as agreed by the parties or otherwise ordered by the Court.
3. The parties may discuss a revised deadline for Defendants to move or answer in response to the Complaint, in the event Plaintiffs file a timely motion to remand this action to the Court of First Instance.
4. Except as expressly provided herein, Plaintiffs and Defendants reserve all rights, claims and defenses.

Respectfully submitted,

Dated: July 17, 2023

s/ Harold D. Vicente-Colón

Harold D. Vicente-Colón
USDC-PR No. 211805
hdvc@vc-law.net
VICENTE & CUEBAS
P.O. Box 11609
San Juan, PR 00910-1609
Tel.: (787) 751-8000
Fac.: (787) 756-5250

Counsel to Plaintiffs

/s/ Roberto C. Quiñones-Rivera

Roberto C. Quiñones-Rivera
USDC-PR No. 211512
RCQ@mcvpr.com

/s/ Myrgia M. Palacios-Cabrera

Myrgia M. Palacios-Cabrera
USDC-PR No. 230807
MPC@mcvpr.com
McCONNELL VALDÉS LLC
270 Muñoz Rivera Avenue
Hato Rey, Puerto Rico 00918
Tel.: (787) 250-2631 / 5602
Fac.: (787) 759-8282

– and –

Peter G. Neiman (*pro hac vice*)
Philip D. Anker (*pro hac vice*)
Ross E. Firsenbaum (*pro hac vice*)
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Tel.: (212) 230-8800

Counsel to Defendants

+++++

SO ORDERED:

Hon. _____, U.S.D.J.

Dated: July _____, 2023